

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Action No. 06-00363-01-CR-FJG

v.

MICHAEL ALEXANDER,

Defendant.

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE: On October 19, 2006, the Grand Jury returned a nine count indictment against defendant Michael J. Alexander. Counts One through Eight of the indictment charge the defendant with receipt of child pornography over the internet. Count Nine charges the defendant with possession of child pornography.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Katharine Fincham

Case Agent: Detective Maggie McGuire of the Kansas City Missouri Police Department

Defense: Tom Bath and Robin Fowler

OUTSTANDING MOTIONS: The undersigned has prepared a Report and Recommendation (doc. # 59) with respect to Motion to Suppress and Memorandum in Support. The District Court's ruling on this motion is pending.

TRIAL WITNESSES:

Government: 6 with stipulations

Defendant: 0 witnesses

TRIAL EXHIBITS

Government: 35 exhibits

Defendant: 0 exhibits for defendant

DEFENSES: The defendant seeks to preserve all issues unrelated to factual guilt.

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 days

Government's case including jury selection: 2 days

Defense case:

STIPULATIONS: The parties are working on a stipulation on interstate commerce.

UNUSUAL QUESTIONS OF LAW: None other than the issues raised by the motion to suppress.

FILING DEADLINES:

Witness and Exhibit List

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday September 12, 2007

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket commencing September 17, 2007.

Please note: Government counsel requests the second week of the docket because their computer forensic expert is unavailable the first week. Mr. Bath would prefer the first week, but does not intend to call or cross-examine witnesses, and therefore, can have other counsel from his office appear, if necessary.

IT IS SO ORDERED.

SARAH W. HAYS
United States Magistrate Judge